



# NATIONAL RECREATIONAL TRAILS PROGRAM:

*Policies and  
Project Selection*

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JANUARY 22, 2004

***IAC's Mission***



*...Is to foster the protection and enhancement of Washington's natural and outdoor recreation resources for current and future generations. We do this through funding, technical assistance, research and policy development, coordination, advocacy, and encouraging long-term stewardship. Our service reflects a commitment to public participation, openness, fairness, and efficiency.*

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## SECTION 1 — PROGRAM OVERVIEW

### INTRODUCTION

In June 1998 the President signed the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), thus relegating to history its predecessor, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Among the many road, bridge, and mass transit funding programs under TEA-21 is the National Recreational Trails Program (N RTP).

N RTP<sup>[1]</sup> provides financial resources for recreational motorized, nonmotorized, and multi-use trails. Administered by the Interagency Committee for Outdoor Recreation (IAC) in Washington State, N RTP funds represent a portion of the federal gasoline tax attributed to recreation on non-gasoline tax supported roads. Many of the regulations governing this program are prescribed by the federal government.

This manual provides definitions and other basic information on procedures and policies used by IAC to administer this program.

### Program Goal

In Washington State, N RTP's goal is to provide funds to rehabilitate and maintain recreational trails and facilities that provide or support a backcountry experience.

To determine the presence of a "backcountry experience" consider the:

- Project's physical setting, *not its distance from an urban center or road*. A setting does not need to be pristine to qualify as "backcountry," but should be predominately natural. A backcountry trail can provide views of cities or towns.
- Extent to which the user will experience the natural environment as opposed to seeing or hearing evidence of human development and activity.

N RTP's goals include assisting trail-related facilities for both nonmotorized and motorized trail uses. Under limited circumstances, new "linking" trails, relocations, and education proposals are also eligible (page 8).

Principal uses include:

- All-terrain vehicle riding
- Bicycling
- Equestrian/trail stock use
- Four-wheel driving
- Hiking
- Motorcycling off-road
- Skiing cross-country
- Snowmobiling
- Water trails.

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<sup>[1]</sup> Formerly known as "NRTFA" and "Symms."

<b>Eligible Sponsors</b>	<p>Grants may be made to:</p> <ul style="list-style-type: none"><li>▶ Non-profit organizations (see page 12)</li><li>▶ Municipal agencies (cities, towns, counties, school districts, etc.)</li><li>▶ State agencies (State Parks, DNR, Fish &amp; Wildlife, etc.)</li><li>▶ Federal government agencies (BLM, Forest Service, NPS, etc.)</li><li>▶ Other government entities (Indian tribal governments, multi-state public agencies).</li></ul> <p>Municipal corporations, such as port districts, park and recreation districts, public utility districts, etc., may be eligible if legally authorized to develop and maintain recreation facilities.</p>
<b>Manual Authority</b>	<p>Authority for the policies in this publication was provided by the Governor of Washington and the Transportation Equity Act for the 21<sup>st</sup> Century [TEA-21, Sec. 1112. Recreational Trails Program; (a) In General.—Chapter 2 of title 23, United States Code, section 206. Recreational Trails program, (d) State Responsibilities (Appendix 1)]. IAC's board adopted these policies in a public meeting.</p>
<b>NRTP Advisory Committee</b>	<p>TEA-21 also requires that each state participant in this program create an advisory committee to provide counsel on NRTP matters. The committee must represent both motorized and nonmotorized recreational trail users and meet at least once per fiscal year. By IAC policy, the committee provides advice to IAC's Director regarding program policies and procedures, and to staff and project applicants on technical elements and the merits of project proposals. It also serves as an evaluation team to rank grant requests for IAC's board.</p> <p>A state may make grants under this program only after considering appropriate guidance from the committee. This includes providing guidance to IAC on:</p> <ul style="list-style-type: none"><li>▶ Sponsor and project eligibility criteria</li><li>▶ Project evaluation/selection criteria</li><li>▶ Compliance with 40-30-30 percent diverse trail use requirement (page 6)</li><li>▶ Implementation of a policy by which sponsors match NRTP funds.</li></ul> <p>IAC's Director appoints Committee members from the following groups for four year terms:</p> <ul style="list-style-type: none"><li>▶ Trail user groups, motorized and nonmotorized</li><li>▶ State and federal agencies</li><li>▶ Citizen(s)-at-large</li></ul> <p>IAC's Director may also appoint ex officio members and special study committees as necessary.</p>

**INFORMATION  
SOURCES**

IAC encourages anyone interested in its programs to contact its staff at:

Natural Resources Building	Phone (360) 902-3000
1111 Washington Street, Floor 2 East	FAX (360) 902-3026
P.O. Box 40917	TDD (360) 902-1996
Olympia, Washington 98504-0917.	E-mail: <a href="mailto:info@iac.wa.gov">info@iac.wa.gov</a>
	<a href="http://www.iac.wa.gov/">http://www.iac.wa.gov/</a>

**Programs, Schedules** Each January, IAC publishes a description of its grant programs. In this brochure is basic program information such as available funding, grant limits, eligible sponsors, and important dates. Additionally, IAC publishes annual schedules for all of its grant programs. Each identifies important deadlines, meeting dates, and locations. Much of this information may also be viewed on our web page and via the Internet on PRISM, IAC's project management database. Call IAC for more information.

**Related Publications** Depending on the type of project submitted, and the stage in the grants cycle, program participants should be familiar with these IAC policy manuals:

- *Development Projects: Policies* - #4
- *Application Blanks* - #5t
- *Funded Projects: Policies & the Project Agreement* - #7
- *Reimbursements: IAC Grant Programs* - #8.

Contact IAC to obtain copies of these free publications. Most can be downloaded from IAC's website, [www.iac.wa.gov/](http://www.iac.wa.gov/). Each can be made available in an alternative format.

**PROJECT  
SELECTION TIME  
LINE**

IAC generally awards NRTP grants once each year. While the order of the steps in this process remain consistent each grant cycle, IAC's Director may adjust actual dates. For this reason, and since other important deadlines exist, *applicants are encouraged to obtain the full program schedule, revised before each grant cycle.*

***First Quarter, Every Year***

**Workshops.**<sup>[2]</sup> IAC conducts workshops annually to provide information about its funding programs. These sessions are typically held in the winter and/or spring of each year in several state locations. Scheduling is usually completed in early January. Call for information about dates and locations.

***February 1 (or next business day)***

**Letter of Intent Form Due.** This nonbinding form contains information that briefly describes the project, estimates costs, and tells IAC where to send the latest grant information.

***March 1 — Applications Due!***

**Application Material Deadline.** Applications received or postmarked after the deadline will be returned unless previous arrangements have been approved by IAC's Director.

***June***

**Application Review.** On submission of the grant application, each applicant is assigned an IAC project manager. This manager will review the application for eligibility and other issues and generally assist the applicant with the project selection process.

***August***

**Project Evaluation Meeting.** Project evaluation begins when members of the NRTP advisory committee read through the responses to the evaluation questions, provided by each applicant. After individually scoring all projects per the criteria, the advisory committee meets to discuss the projects. At the conclusion of this open and publicly announced meeting, final ranking recommendations are decided. (In order to ensure that all projects are treated equally, no project-related testimony from visitors is taken at this meeting.) The resulting ranked list of projects is the foundation for funding recommendations to IAC's board. The evaluation instrument beginning on page 18 is the basis for scores.

***September***

**IAC Approves Funding.** IAC makes funding decisions in an open meeting where public testimony is encouraged. Applicants are encouraged, but not required, to attend.

***Fall***

**Successful Applicants' Workshop.** This orientation is for successful applicants. It covers such information as basic responsibilities, fiscal requirements, and Project Agreements.

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<sup>[2]</sup> Facility managers certify all IAC meeting sites as barrier free according to federal *Americans With Disabilities Act* or WAC 51.30.1100 standards. To request other disability accommodations, such as listening aids and/or alternative format handout material, contact IAC at least 14 days before the event.



## SECTION 2 — PROGRAM POLICIES

### FUND & INCOME POLICIES

#### Funding Priorities

IAC gives funding preference to projects that further specific goals of the *Washington State Trails Plan* (IAC), *NOVA Plan* (IAC), and/or the *Assessment and Policy Plan* (IAC). This preference is shown in the evaluation instrument (page 18) that places a high priority on projects that excel by:

- Filling an established *need*
- Adhering to high *design* standards
- Reducing trail *maintenance* backlogs
- Being *ready* to proceed and enjoying widespread *public support*
- Presenting a favorable *benefit-cost ratio* and appropriately estimating and explaining costs
- Bringing a high proportion of *non-government contributions* and *matching value* to the project (cash, goods, services, etc.), and
- Exhibiting support under the *Growth Management Act*.

**Funds Must Augment** IAC intends that NRTP funding be used to enhance trail opportunities by achieving results that would not otherwise be possible. Therefore, grants shall not replace other potential or actual trail funding.

#### Fund Assistance Limits

While an applicant may submit more than one proposal, IAC's contribution to any single application will be between \$5,000 and \$50,000, *except* for education projects (page 9). Reimbursements for education projects will be between \$5,000 and \$10,000. See IAC Manual 4, *Development Projects: Policies*, for limits on planning, engineering, and construction supervision.

#### Matches

***Eligible Matches.*** NRTP funds will not exceed 80 percent of a project's total cost. Sponsors must provide at least 20 percent of a project's cost. Existing sponsor assets, including real property and developments, may not be used as the match. The "match" may include:

- Donations of cash, labor, equipment, and materials (see IAC Manual 5t, *Application Blanks* for wage and equipment donation standards)
- Agency labor, equipment, and materials
- Federal, state (non IAC), and local grants
- Appropriations/cash
- Bonds.

NRTP funds may be also matched with funds from other federal programs which may be *credited as a non-federal share* if expended:

- In accordance with the requirements of that federal program; and
- On a project that is eligible for NRTP assistance.

Thus, some federal support may qualify as the non-federal share to match NRTP funds up to 100 percent of the project cost, regardless of the project sponsor. (For federal project sponsors, this provision does *not* include funds credited as additional federal share.) For example, HUD Community Development Block Grants, State and Local Assistance Act, and Job Training Partnership Act funds can be counted as non-federal share. See page 29, (3) *Use of funds from federal programs to provide non-federal share*.

**Federal Agency Sponsors.** The following guidance applies only to funds apportioned under TEA-21; see page 29, (f) *Federal Share*. For each federal project, support from the Secretary of Transportation, including NRTP funds, may *not* exceed 80 percent of the total cost. The share attributable to the Secretary *and* the federal agency may not exceed 95 percent of the cost.

**Bid Competition for Purchased Services**

The federal government requires that a competitive bid process be used for expendable property, equipment, real property and other services purchased with NRTP funds. This requirement exists to help ensure that these services are obtained as effectively as possible, without any real or apparent conflict of interest.

Such conflicts arise when a person related to the NRTP project sponsor (agent, family member, partner, etc.) has a financial or other interest in the firm or organization selected to provide the needed service. Avoid such conflicts by:

- Conducting all procurement transactions in an open and free competitive manner.
- Keeping a file on bid procedures (request for proposals/bid invitation, independent cost estimates, selection process, etc.).
- Making awards to bidders with offers most responsive to solicitations, considering price, quality, and other factors.
- Understanding Title 49 of the Code of Federal Regulations, Parts 18, 19.

**40-30-30 Requirement**

Federal legislation [23 U.S.C. 206, (d)(3)(A)] requires that not less than:

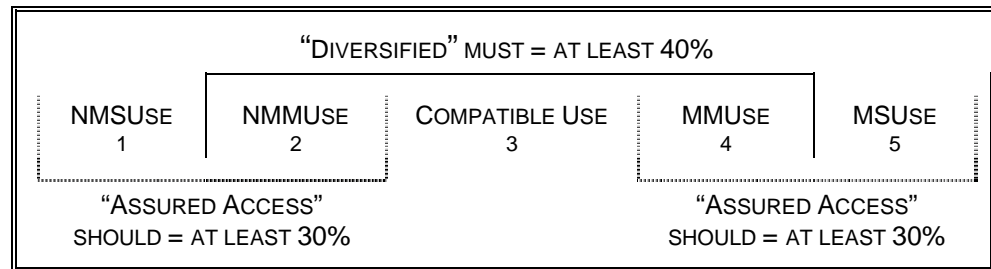
- 40 percent of this program's funds be used for diverse recreational trail use
- 30 percent for motorized recreation
- 30 percent for nonmotorized recreation.

“Diverse” means use that combines recreational trail activity within a trail corridor, trail side, or trailhead. The 40 percent “diverse” rule may *not* be waived and must involve:

- More than one motorized trail activity (MMUse), or
- More than one nonmotorized trail activity (NMSUse), or
- A combination of compatible nonmotorized and motorized trail activities.

The 40-30-30 requirement applies to funds apportioned (not obligated) each fiscal year and includes development, maintenance, and education projects. In any year, the 30 percent motorized–nonmotorized rule *may* be waived (in whole or part) by IAC if it determines there are insufficient projects [TEA 21, §206(d)(3)(C)].

The following table summarizes this requirement:



NMSUSE = NONMOTORIZED SINGLE USE  
 NMMUSE = NONMOTORIZED MULTIPLE USE

MMUSE = MOTORIZED MULTIPLE USE  
 MSUSE = MOTORIZED SINGLE USE

Note that it is possible to exceed the minimum percentage requirements: a diverse motorized project (such as snowmobile and trail motorcycle) may satisfy the 40 percent diverse use requirement and the 30 percent motorized use requirement simultaneously. The same applies for nonmotorized use.

### Motorized Use

In most years, it has been a challenge to meet the motorized 30 percent assured access requirement. Typically, this is due to the few “motorized” requests received.<sup>[3]</sup> A contributing factor is, based on literal interpretation, there are no “Motorized Single Use” trails in the state of Washington. For example, hiking is permitted on motorcycle trails and cross-country skiing is allowed on snowmobile trails. At the other end of the spectrum, there are many “Nonmotorized Single Use” and “Nonmotorized Multiple Use” trails where motorized use is not allowed.

To improve the record in meeting this 30 percent requirement, NRTP projects are defined as either motorized multiple-use or motorized single use if the application shows the amount of approved motorized use on a trail to be more than incidental. In addition, at least one of the following criteria must be met:

- If an education project, it must target motorized use *or*
- If a trail project, the manager must have certified it as having a motorized primary management objective (see definition, page 20) *or*
- If a trail project, it must be open to motor vehicles *and* include features clearly designed to accommodate recreational motorized trail vehicles (climbing turns, tread hardening, groomed paths, ORV/snowmobile-related signs, loading ramps, etc.).

### User Fees and Charges

User or other fees may be charged for areas and facilities developed and/or maintained with NRTP grants. See IAC Manuals 4 and 7, *Development Projects: Policies* and *Funded Projects: Policies* and the Project Agreement for further information.

### Youth Crews

In accord with federal policy, IAC encourages all sponsors to use qualified youth conservation or service corps for construction and maintenance of recreational trails under this program.

<sup>[3]</sup> For example, requests for motorized assured access dollars were below the 30 percent minimum in 1999, 2001, 2002, and 2003, missing the minimum by \$81,200, \$118,400, \$800, and \$126,318 successively. During the same period, requests for nonmotorized assured access dollars exceeded the minimum by \$406,800, \$535,100, \$313,400.

**ELIGIBILITY  
POLICIES**

This section lists projects and costs eligible for funding. IAC's Director may declare elements not listed as eligible if they help meet the **Program Goals** shown on page 1.

**Eligible Projects**

***General Development Projects, Including Rehabilitation.*** NRTP funds may be used to develop (see below) and/or rehabilitate trail-related facilities. Rehabilitation means the extensive repair needed to bring a facility up to standards suitable for public use. Rehabilitation is undertaken after a facility has deteriorated to the point where its usefulness is impaired and no longer meets public health, safety, or other requirements.

IAC does not allow the use of NRTP grants to assist most new construction projects. *Exceptions* to this policy occur when the new construction is closely related to an existing trail (see *Examples*, below).

**EXAMPLES:**

- ▶ *The proposal is to construct a new trailhead to service an existing trail: this project **is** eligible.*
- ▶ *The proposal is to “move” a portion of a poorly located trail: this project **is** eligible.*
- ▶ *The proposal is to link two existing trails by constructing a new one-mile connecting trail: this project **is** eligible.*
- ▶ *The proposal is to rehabilitate an older trail that has been closed due to safety or resource concerns. The applicant can demonstrate that this trail was once actively managed or will be actively managed by the land administrator: this project **is** eligible.*
- ▶ *The proposal is to rehabilitate a boating access site for a water trail that has fallen into disrepair: this project **is** eligible.*
- ▶ *The proposal is to construct a new trail that departs from an existing trailhead. The trailhead currently services a heavily used trail system: this project is **not** eligible.*
- ▶ *The proposal concerns only feasibility, environmental, and/or site planning: such projects/expenses are **not** eligible.*

***Maintenance Projects.*** Maintenance of recreational trail-related facilities is an allowed use of NRTP funds. It means the regular upkeep needed to avoid an impaired condition and keep a trail or trail facility open and available for use. In order to reduce application preparation/processing time and make use of other efficiencies, *applicants for routine maintenance projects may request and receive NRTP funding support for two consecutive years.*

EXAMPLES:

- ▶ *The proposal is to purchase equipment, such as a snow groomer and/or a chainsaw for trail maintenance purposes: this project **is** eligible.*
- ▶ *The proposal is to perform regular seasonal removal of downed trees across a trail which is actively managed by the land administrator (part of the manager's trail system): this project **is** eligible.*
- ▶ *The proposal is to perform the regular seasonal removal of encroaching vegetation and water bar cleaning-repair along a trail actively managed by the land administrator (part of the manager's trail system): this project **is** eligible.*
- ▶ *The proposal is to perform major restoration of a railroad trestle for trail use: this is **not** an eligible maintenance project, but **is** eligible as a development/rehabilitation project. Note that maintenance and development/rehabilitation projects require different LAC cost estimation forms.*

**Education Projects.** Up to five percent of each federal fiscal year's NRTP apportionment *may* be allocated to operation of recreational trail related educational programs to promote safety and environmental protection. Eligible elements must directly convey a safety and/or environmental message. In order to reduce application preparation/processing time and make use of other efficiencies, *applicants for routine education projects may request and receive NRTP funding support for two consecutive years.*

EXAMPLES:

- ▶ *The proposal is to create a video and/or publication to teach trail etiquette, safety, and/or the reduction of trail-side environmental impacts: this proposal **is** eligible.*
- ▶ *The proposal is to pay for staff and direct support costs to patrol trail areas to provide a non-enforcement trail safety and/or environmental protection message: this proposal **is** eligible.*
- ▶ *The proposal is to pay for the trail safety-education portion of an exhibition/workshop. Included are such costs as printing, rentals, mileage, salaries and benefits: this proposal **is** eligible.*
- ▶ *The proposal is to create a small roadside area (parking, fencing, restrooms, drinking fountain, etc.) where signs and an interpretive trail will be used to convey a trail safety and/or environmental protection message: **only the signs** are eligible. The other elements may qualify in NRTP's General Development category.*

See page 5 for fund assistance limits and page 15 for education project evaluation procedures.

**Water Trails.** The definition of "recreational trail" in the NRTP legislation includes "aquatic or water activities." Therefore, water trails are eligible for funding. By IAC policy, this eligibility is restricted to nonmotorized water trail activities, including boat launch access and support facilities.

**Ineligible Projects** Projects *not* eligible for NRTP funding include:

1. NEW TRAIL DEVELOPMENT not directly related to an existing trail (see *Eligible Projects*, page 8).
2. LAND ACQUISITION or CONDEMNATION of any kind.
3. Those FACILITATING MOTORIZED USE on National Forest or Bureau of Land Management land unless—
  - The land is not designated Wilderness
  - Construction is consistent with the management direction in Forest or Bureau plan(s).
4. FACILITATING MOTORIZED USE on or access to recreational trails on which, as of May 1, 1991, motorized use was prohibited or had not occurred.
5. FEASIBILITY STUDIES
6. PLANNING PROJECTS. Projects involving only planning are not eligible. (Architectural and engineering costs submitted as a part of a development project application *are* eligible.)
7. ROADS AND/OR BRIDGES *unless* specifically designated for recreational trail use and not accessible to or maintained for regular passenger vehicles *or* closely associated with maintenance and/or rehabilitation of a campground or trailhead project.
8. SIDEWALKS and other paths that provide an urban trail experience (in Washington, NRTP's goal is to provide backcountry-type trail experiences; such experiences may be found in some urban environments)
9. LAW ENFORCEMENT
10. Those on property bought under a CONDITIONAL SALES CONTRACT, unless the project sponsor has title to the property.
11. Those which severely RESTRICT PUBLIC USE, such as deed provisions that have a significant negative impact on public recreational use of the property; projects may be on public or private land, but must provide written assurances of public access.

**Eligible Costs** When closely associated with an existing trail, costs for the following activities *are* eligible for reimbursement under NRTP. (Information about reimbursement limits for administrative costs is contained in IAC policy Manual 4, *Development Projects: Policies*.)***“General” Category, Development***

- |   |                              |
|---|------------------------------|
| 1. Architecture & Engineering                                     | 11. Permits                  |
| 2. Buildings & Structures   | 12. Restrooms                |
| 3. Campground Facilities  | 13. Roads                    |
| 4. Capital Equipment  | 14. Sales Tax                |
| 5. Fencing  | 15. Shelters                 |
| 6. Horse Facilities (corrals, ramps, etc.)                        | 16. Signs                    |
| 7. Landscaping  | 17. Site Preparation         |
| 8. Lighting   | 18. Trails                   |
| 9. Park Furniture (benches, bike racks, drinking fountains, etc.) | 19. Utilities                |
| 10. Parking   | 20. Viewpoints               |
|   | 21. Water Access Facilities. |

***“General” Category, Maintenance***

- |  |                          |
|--|--------------------------|
| 1. Capital Equipment                                     | 6. Salaries & Benefits   |
| 2. Communications (advertising, postage, printing, etc.) | 7. Sales Tax             |
| 3. Insurance for liability                               | 8. Supplies              |
| 4. Professional Services                                 | 9. Transportation/Travel |
| 5. Rentals & Leases of Equipment                         | 10. Utility Service.     |

***“Education” Category, Development***

- |                                    |   |
|------------------------------------|---|
| 1. Architecture & Engineering      | 5. Signs (interpretive signs- displays, kiosks, rules/regulations, bulletin boards, speaker boxes). |
| 2. Permits                         |   |
| 3. Sales Tax                       |   |
| 4. Shelters (interpretive, kiosks) |   |

***“Education” Category***

- |  |                                  |
|--|----------------------------------|
| 1. Communications (advertising, postage, printing, etc.) | 5. Salaries & Benefits           |
| 2. Equipment   | 6. Sales Tax                     |
| 3. Professional Services                                 | 7. Signs (generally under \$200) |
| 4. Rentals & Leases                                      | 8. Supplies                      |
|  | 9. Transportation/Travel.        |

**Ineligible Costs**

The following are *not* eligible for NRTP reimbursement:

1. *Organization operations* costs not directly associated with the approved project.
2. *Ceremonies and/or entertainment* expenses.
3. *Publicity* expenses (*except* legal requirements for public notice)
4. *Bonus payments* of any kind.
5. *Taxes* for which the organization involved would not have been liable to pay.
6. Charges incurred *contrary to the policies* and practices of the organization involved or IAC.
7. The cost of *contributed materials* if their value is not substantiated.
8. The value of *personal properties*, unless specifically approved in advance by IAC’s Director.
9. The value of *discounts* not taken.
10. *Appliances, office equipment, furniture and utensils*.
11. *Donations or contributions* made by the participant, such as to a charitable organization.
12. Losses arising from *uncollected accounts*.
13. Planning and engineering *fees in excess* of the amount allowed in this grant program, unless otherwise approved by IAC’s Director.
14. Charges in excess of the *lowest acceptable bid* when competitive bidding is required, unless IAC’s Director authorizes the higher costs, in writing,

before the award of a contract.

15. *Damage judgments* arising from acquisition and/or developing a facility, whether determined by a judicial decision, arbitration, or otherwise.
16. *Fines, penalties*, interest expenses, deficit/overdraft charges, and losses from uncollectible accounts.
17. Development costs incurred *before execution of the Project Agreement*.
18. Costs associated with preparation of the *grant application*.

#### GENERAL POLICIES

##### Project Agreement

Each year IAC awards NRTP grants through a competitive process, assuming adequate funds are available. After approval of funding, and before executing the Project Agreement, IAC's Director may ask the applicant to provide additional information. On approval of this information, IAC provides the Agreement. Once a successful applicant has signed the Agreement, that applicant becomes a sponsor eligible for reimbursement for approved project expenses. Most provisions of the Agreement remain effective forever.

##### Conversions

In all cases, IAC monitors projects for compliance with the Project Agreement. While not applicable to all projects (for example, certain maintenance projects), if IAC finds a sponsor not in compliance, a “conversion” can be declared. To convert an IAC assisted project means to change the use or purpose of any of the elements described in the Agreement *after* final reimbursement. A sponsor must replace each converted element with a similar element, as described in the Agreement. The replaced element must be of at least equal value, usefulness, and location.

IAC's conversion policies, including *exceptions*, are described in more detail in Manual 7, *Funded Projects*.

##### Non-Profit Organizations

A qualified non-profit organization meets the following criteria:

- ▶ Registered with the State of Washington as a non-profit
- ▶ Will name a successor (see below) at the time of any change in organizational status (for example, dissolution)
- ▶ Has been active in trail related activities for at least three years
- ▶ Does not discriminate on the basis of age, disability, gender, income, race, religion.

IAC's intent is that non-profit project sponsors maintain non-profit status. Since this is not always possible, a successor organization must agree in writing to assume any on-going project responsibilities, should the original organization's status change. The responsibilities are identified in the Project Agreement. A qualified successor is any party eligible to apply for NRTP funds *and* capable of complying with Project Agreement responsibilities. IAC recommends, whenever possible, a government agency be sought as a successor. A successor need not be named for maintenance project sponsors.



<b>Phased Projects</b>	<p>Sponsors may phase larger proposals into two or more “stand alone” projects. Staged projects are subject to the following:</p> <ul style="list-style-type: none"><li>▸ Approval of any single stage is limited to that stage; no endorsement or approval is given or implied toward future stages.</li><li>▸ Each stage must stand on its merits as a viable project.</li><li>▸ Each stage must be submitted as a separate application.</li><li>▸ Progress on earlier stages is considered by IAC when making decisions on current projects.</li></ul>
<b>Environmental Requirements</b>	<p>Federal NRTP guidance requires documentation of compliance with the National Environmental Policy Act (NEPA) and other Federal environmental laws, regulations, and Executive Orders as part of an authorized project. Compliance with state environmental laws is also necessary. In most cases, this means a simple certification of compliance by the applicant, <i>not</i> a full document review.</p> <p>Most NRTP projects will qualify as Categorical Exclusions under NEPA (23 CFR 771.117). Each project, however, must be reviewed to assure that it does not have a significant impact on the environment.</p>
<b>IAC Not A Hearings Board</b>	<p>IAC's role is to assist in funding grant proposals and <i>not</i> to act as a hearings board before whom land use issues are argued. IAC's intent is that all proposals, to the extent possible:</p> <ul style="list-style-type: none"><li>▸ Are the outcome of a public process in which all interests have had an opportunity to be heard</li><li>▸ Have resulted from a community supported decision to submit the application</li><li>▸ Are ready for implementation</li><li>▸ Will ensure that maximum benefit is gained from the IAC grant.</li></ul> <p>IAC's grant allocation meeting should not be the first public meeting in which interested parties have a chance to express views on a project.</p>
<b>Universal, Barrier-Free Access</b>	<p>Sponsors must ensure that all facilities developed with IAC funds meet barrier-free standards. Several laws and codes may provide construction designs to meet these standards (Americans With Disabilities Act, State Building Code: Accessibility, Rehabilitation Act of 1973, etc.). NRTP sponsors must, to the highest degree reasonable, make project elements accessible. To this end, applicants should refer to IAC's "Universal, Barrier-Free Access" policy in Manual 4, <i>Development Projects: Policies</i>.</p>
<b>Developments — Control and Tenure</b>	<p>An applicant must establish that it has adequate control over any land to be developed with NRTP funds. This must include documentation of one of the following:</p> <ul style="list-style-type: none"><li>▸ Fee title</li><li>▸ Lease</li><li>▸ Easement</li><li>▸ Use agreement.</li></ul> <p>The application must identify all outstanding rights or interests held by others in the land to be developed. If any outstanding rights later prove to be</p>

incompatible with public use of the site, the sponsor must remedy the situation to IAC's satisfaction. This includes replacing any facilities developed with NRTP funds with other facilities of at least equal value, use, and location. This must be done at no cost to the National Recreational Trails Program.

The applicant must provide evidence that the following conditions have been satisfied when proposing a development on leased land:

- At least 25 years remain on the lease from the date of IAC's last reimbursement
- The lease is not revocable at will
- The development and its intended uses are consistent with and legally permissible under the conditions of the lease.

#### **Capital Equipment Management**

Sponsors must maintain a record of all capital equipment purchased under an IAC agreement. Title is always taken by the sponsor, not IAC.

1. The sponsor's capital equipment records shall include (use Appendix 3, page 31, *Project Inventory Form*):
  - A description of the equipment.
  - Manufacturer's model & serial number (for example, stock, vehicle identification, or other unique code affixed to the equipment)
  - Source of funding for the equipment ("NRTP"), including IAC project number.
  - Acquisition date and cost.
  - Percentage of sponsor participation in the cost of the project or program for which the equipment was acquired as specified in the Project Agreement.
  - Location, use and condition of the equipment and the date the information was reported.
  - Ultimate disposition data, including date of disposal and sale price (including the method used to determine current fair market value when a sponsor compensates IAC for its share) if sold.
2. The sponsor shall conduct a physical inventory of equipment and reconcile the results with previous records at least once every two years. Any differences in this physical inspection and those shown in the accounting records shall be investigated by the sponsor to determine the causes of the difference. In connection with the inventory, the sponsor shall verify the existence, current use, and continued need for the equipment. **A detailed written report on the results of this inventory shall be provided to IAC by December of each odd numbered year.**
3. The sponsor shall institute a control system to ensure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage or theft shall be investigated and fully documented. The sponsor shall promptly notify IAC of any such occurrence.
4. The sponsor shall exercise maintenance procedures that keep the equipment safe and efficient whenever operated. The three reasons for

this are to protect the:

- ▷ Safety of the operator and others.
- ▷ Project sponsor from potential liability petitions and Dept. of Labor & Industries claims.
- ▷ Interests and expectations of the public by reducing downtime and complying with the Project Agreement.

5. When the sponsor disposes of the capital equipment (see below), procedures that provide for fair competition, to the extent practicable, and result in the highest possible return, shall be established.

**Equipment  
Liquidation**

The sponsor shall use the capital equipment in the project or program for which it was acquired as long as needed, whether or not IAC support continues. After this it may be used for other activities as follows:

- ▷ Original cost of \$200 or less: The sponsor may use the capital equipment for other activities without reimbursement to IAC, or sell the capital equipment and return the proceeds to IAC.
- ▷ Original cost of more than \$200: The sponsor may retain the capital equipment for other uses provided compensation is made to IAC. The amount of compensation shall be computed by applying the percentage of IAC participation in the cost of the original project, as specified in the project agreement, to the current fair market value of the equipment. If the sponsor has no need for the equipment, but the equipment has further use value, the sponsor shall request disposition instructions from IAC.

If so instructed, the sponsor shall sell the equipment and reimburse IAC an amount computed by applying to the sales proceeds the percentage of IAC participation in the cost of the original project as recorded in the signed project agreement. The sponsor may retain from the IAC share an amount that accurately reflects any selling or handling expenses, so long as these expenses do not exceed \$100 or ten percent of the sale amount, whichever is less.

**APPLICATION  
PROCEDURES**

The NRTP application is contained in IAC Manual 5t, *Application Blanks: Forms & Instructions*. Applicants may also use a computer, modem (or equivalent), and IAC's special PRISM (PProject Information System) software to complete most application requirements. Contact IAC for information.

**IAC Project Manager**

Each applicant will be assigned an IAC project manager to help with the grant process. As early in the funding cycle as possible, this manager will communicate with the applicant to review all information provided. Depending on work flow, managers may visit project sites.



## SECTION 3 – PROJECT SELECTION

### EVALUATION PROCESS

IAC's grant programs involve an open, highly competitive process. Funding relies heavily on an applicant's responses to the following evaluation questions. These responses are considered by an advisory body that makes funding recommendations to IAC. The NRTP Advisory Committee responsible for scoring proposals is a hard-working and dedicated volunteer group consisting of agency specialists and trail users. For help with responses, consult with your IAC project manager.

Letters and other documented expressions of project support will *not* be provided to the evaluation team. Applicants should, however, summarize this support in a paragraph or two when responding to evaluation question #8 (General NRTP projects) or #5 (Education projects). A copy of each, however, must be provided to IAC. For scoring purposes IAC will send evaluators applicant prepared:

- Project description/summary
- Cost estimate summary
- Evaluation question responses
- Project location map(s)
- Visuals (up to two pages of photos or other graphics).

### Education Projects— Evaluation

IAC evaluates education proposals separately from other NRTP projects (see page 9 for eligibility). The evaluation team assesses each principally on the criteria shown in the table below (Evaluation Criteria Summary—Education Projects). We have not provided further information in order to encourage a variety of creative proposals.

Using a computer and printer (or equivalent), applicants must respond to the five questions individually.

1. Use white, 8 ½ x 11 inch paper, with 1 inch margins.
2. Use a *regular* typeface, such as Arial or Times Roman, 12 point size.
3. At top of *each* page, print: applicant name, project name, and date written.
4. **The total of all evaluation responses must not exceed two single-sided pages.**
5. In order, print the question's number, followed by the question, and then the response. Each questions must have its own separate answer.

NRTP Evaluation Criteria Summary Education (Safety-Environmental Awareness) Projects			
<i>Scoring</i>	<i>#</i>	<i>Describe the...</i>	<i>Mult./Max.</i>
Team	1	Need for this project.	1/5
Team	2	Extent to which the project satisfies this need.	1/5
Team	3	Applicant's ability to accomplish the project.	1/5
Team	4	Project's cost-benefit.	1/5
Team	5	Support for the project.	1/5
Revised 11/16/00		TOTAL POINTS POSSIBLE	25

**Development/  
Redevelopment &  
Maintenance  
Projects**

For non-education proposals, use a computer and printer (or equivalent), and respond to each question individually.

1. Use white, 8 ½ x 11 inch paper, with 1 inch margins.
2. Use a *regular* typeface, such as Arial or Times Roman, 12 point size.
3. At the top of *each* page, print: applicant name, project name, and the date written.
4. For each question, and in order, print the question's number, followed by the question, and then the response. Each question must have its own separate answer.
5. **The total of all evaluation responses must not exceed three single-sided pages.**
6. *Do not* respond to both questions 3 and 4 (pick one: 3 applies only to development projects, 4 applies only to maintenance).
7. *Do not* respond to questions 9 and 10 (Matching Shares, GMA). IAC will score these questions based on other information, or information submitted with the application.

<b>NRTTP Evaluation Criteria Summary</b> <b>General (Development and Maintenance) Projects</b>				
Scoring	Number	Item	Mult/Mx	D/M
Team	1	Need	3/15	D/M
Team	2	Need satisfaction	3/15	D/M
Team	3	Project design	2/10	D
Team	4	Maintenance	2/10	M
Team	5	Readiness to proceed	1/5	D/M
Team	6	Cost-benefit	1/5	D/M
Team	7	Non-government contribution	1/5	D/M
Team	8	Project support	2/10	D/M
IAC Staff	9	Matching shares	2/10	D/M
IAC Staff	10	GMA preference	-/(-1)	D/M
TOTAL POINTS POSSIBLE – Development = 75 Maintenance = 75				

## KEY TO PRECEDING TABLES:

Team = Criterion scored by the evaluation team

Item = Criteria title

IAC Staff = Criterion scored by IAC staff

Mult/Mx = *M*ultiplier and *m*aximum points

D/M = Criterion applicable to both development and maintenance projects

## NRTP DEVELOPMENT & MAINTENANCE PROJECT SCORING CRITERIA

**Team Scored**—Development and Maintenance applicants must respond.

**1) NEED. How great is the need for improved trail facilities that provide a backcountry *experience*?**

The following considerations are provided to help applicants and evaluators understand some of the elements that help a project score well. A successful proposal need not address each bullet. *Respondents should elaborate on all points clearly relevant to their project.*

- ▶ State, Regional, Land Manager, or Community Needs
  - ▷ Is the project supported by location or type in a publicly reviewed and adopted plan? For example: *Washington State Trails Plan* (IAC), *Nonhighway and Off-Road Vehicle Activities Plan* (IAC), the state *Assessment and Policy Plan* (IAC)?
  - ▷ Describe how critical NRTP funds are to the completion of this project.
  - ▷ Describe any significant environmental damage in need of repair.
  - ▷ Describe the consequences of not funding this project (for example, how immediate is any threat; will actions be taken that will lead to a loss of quality, etc.).
- ▶ Trail Inventory Issues
  - ▷ How large is any maintenance backlog?
  - ▷ What similar trail opportunities are now available in the local area?
  - ▷ How much of this need can be attributed to a history of inadequate care/maintenance?
  - ▷ What is the current physical condition of the proposed facility?
- ▶ Use
  - ▷ How convenient will the finished project be to intended users?
  - ▷ How heavily are trails and support facilities in the area used?
  - ▷ How heavily will the finished project be used?
  - ▷ Are there significant unserved or under-served user groups?
  - ▷ To what extent will safety hazards be resolved?

Point Range    0 - 5

Evaluators award a maximum of 5 points that are later multiplied by 3.

Revised 11/16/00

**Team Scored**—Development and Maintenance applicants must respond.

**2) Need Satisfaction. To what extent will the project satisfy the service area needs identified in question 1, “Need?”**

How well does the specific proposal satisfy the need established in question one? For example on the proposed trail, will all surface water issues be remedied (water bars, grade dips, punchon, water crossings, etc.)? How about the trail corridor (clearing, brushing, tree removal, etc.), safety, and sign issues? **Responses must be quantified.** How efficiently does the proposal target these needs?

Point Range 0 - 5

Evaluators award a maximum of 5 points that are later multiplied by 3.

**ONLY answer question #3 if IAC has designated your project as a “development.” If in doubt, call your IAC project manager – 306/ 902-3000.**

**Team Scored**—Only Development applicants respond.

**3) PROJECT DESIGN. Is the proposal appropriately designed for intended uses and users?**

The following considerations are provided to help applicants and evaluators understand some of the elements that help a project score well. A successful proposal need not address each bullet. *Respondents should elaborate on all points clearly relevant to their project.*

- ▶ Describe how the project’s setting is appropriate to the need? How does it complement the need?
- ▶ How does the design protect and complement the environment?
- ▶ Describe how the facility is designed for ease of maintenance.
- ▶ Describe the extent to which the design is barrier-free and user friendly .
- ▶ Describe the spatial relationships, surfacing, width, grades; how tight are curves; are there switchbacks? How is multiple-use facilitated?
- ▶ If a trail, is it designed in a loop; does it lead to a primary destination?
- ▶ Does the project have a *primary management objective*? <sup>[4]</sup>
- ▶ For projects with a motorized *primary management objective*, is an adequate level of difficulty maintained?

Point Range 0 - 5

Evaluators award a maximum of 5 points that are later multiplied by 2.

Revised 11/16/00

<sup>[4]</sup> *Primary Management Objective* (PMO) means the main type of use for which a trail is managed. (Not all trails are managed for a specific use.) PMOs are adopted by policy and communicated to a trail’s users. For example, if an agency carries out a policy to specifically manage a trail for hiking, and communicates this fact to users, the PMO is hiking. A hiking PMO does not necessarily mean that other trail uses are prohibited. A PMO’s advantage is that it provides all users with an understanding of the type of trail experience to expect.



**ONLY answer question #4 if IAC has designated your project as "maintenance." If in doubt, call your IAC project manager – 306/ 902-3000.**

**Team Scored**—Only Maintenance applicants respond.

- 4) **Maintenance. To what degree will the project reduce recreational trail maintenance backlogs and/or re-create a recreational trail opportunity?** <sup>[5]</sup> *Except for snow-based winter recreation trails, maintenance may only be performed on trails and trail facilities that are managed and in use. Activities designed to re-open a closed trail are not maintenance.*

The following considerations are provided to help applicants and evaluators understand some of the elements that help a project score well. A successful proposal need not address each bullet. *Respondents should elaborate on all points clearly relevant to their project.*

- Typically, how often does this trail(s) require maintenance work?
- When was the last time maintenance work was performed on this trail(s)?
- How much of the area's trail maintenance backlog (that is, maintenance previously deferred) will be alleviated by this project? Explain.
- How is the applicant qualified to complete this project in a quality and timely fashion? What is the applicant's experience with past maintenance projects?
- Are the project's maintenance goals specific and appropriate? Explain.
- To what extent will this maintenance project extend the service life of this facility?

Point Range 0 - 5

Evaluators award a maximum of 5 points, which are later multiplied by 2.

Revised 12/02

**Team Scored**—Development and Maintenance applicants must respond.

- 5) **Readiness to Proceed. Is the applicant prepared to begin the project?**

The following considerations are provided to help applicants and evaluators understand some of the elements that help a project score well. A successful proposal need not address each bullet. *Respondents should elaborate on all points clearly relevant to their project.*

- Are needed permits, environmental clearances, signed agreements, equipment, volunteers, etc. in-place? Have any appeals been resolved?
- How urgent is it that immediate action be taken? Explain.
- When will work on the project begin?
- When will work be completed and/or open to use?

Point Range 0 - 5

Evaluators award a maximum of 5 points, which are later multiplied by 1.

Revised 11/16/00

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<sup>[5]</sup> Many winter recreation trail opportunities are re-created through snow grooming maintenance activities.

**Team Scored**—Development and Maintenance applicants must respond.

**6) Cost-Benefit. Do the benefits of the project outweigh costs?**

“Costs” may include hard fiscal outlays, unacceptable harm to the environment, and/or factors that cause unnecessary ill-will for trail users. “Benefits” are the gains that come with the investment of public dollars; they can be gains for trail users, the environment, the general public, or others.

The following considerations are provided to help applicants and evaluators understand some of the elements that help a project score well. A successful proposal need not address each bullet. *Respondents should elaborate on all points clearly relevant to their project.*

- What alternatives to the project were considered and why were they rejected in favor of the current proposal? (For example, in a snow grooming project, was leasing, contracting work to a private party, or “no action” considered?)
- What is the cost per mile (trails) or other unit of measure (other projects)?
- What is the long-term cost of maintenance; will it be cost-effective over the long term?
- What is this applicant’s past record with cost estimates (on-target, overruns, shortages, etc.)?
- What portion of the budget elements appear inaccurate, unnecessarily expensive, or unwisely underestimated?
- Have all important elements been included? Are some omitted? Are unnecessary elements added?
- Describe other benefit(s) this project will provide, such as community economic development, education, and stewardship.
- What will be the environmental cost/benefit of this project?

*It is important that applicants quantify responses.* For example, by how much will a new and faster/larger snow groomer reduce maintenance costs? How much will be saved on future reconstruction costs if maintenance backlogs are eliminated now?

Point Range 0 - 5

Evaluators award a maximum of 5 points, which are later multiplied by 1.

Revised 11/15/01

**Team Scored**—Development and Maintenance applicants must respond.

- 7) **Non-Government Contributions.** Does this project *reduce government costs through documented donations* (labor, equipment, materials), **signed cooperative agreements, or signed memoranda of understanding** (including no cost easements and leases, interagency agreements, an M/O contract, donations, or similar cost saving arrangements)?

Because contributions sometimes “disappear” after project evaluation, it is very important that applicants provide to IAC staff for the project file such documentation as *signed* agreements or memoranda of understanding. The following considerations are provided to help applicants and evaluators understand some of the elements that help a project score well. A successful proposal need not address each bullet. *Respondents should elaborate on all points clearly relevant to their project.*

- The significance of the non-governmental contribution
- The longevity of the commitment.

Point Range 0 - 5

Evaluators award a maximum of 5 points, which are later multiplied by 1.

Revised 11/16/00

**Team Scored**—Development and Maintenance applicants must respond.

- 8) **PROJECT SUPPORT.** To what extent have interested communities been provided with an adequate opportunity to become informed ("outreach") *and/or* to what extent does support for the project seem apparent?

In this question, "communities" means local, regional and statewide entities.

The following considerations are provided to help applicants and evaluators understand some of the elements that help a project score well. A successful proposal need not address each bullet. *Respondents should elaborate on all points clearly relevant to their project.*

- Efforts by the applicant to identify and contact all interested parties.
- The extent that there is support for the project. For example:
  - General land manager and/or user support
  - Ordinance/resolution adoption
  - Public meetings attendance
  - Endorsements or other support from advisory boards and user/“friends groups”
  - Media coverage
  - The extent to which the public was involved in a comprehensive planning process that includes this project.

Point Range 0 - 5

Evaluators award a maximum of 5 points, which are later multiplied by 2.

Revised 11/16/00

**SCORED BY IAC STAFF****9) Matching Shares. To what extent will the applicant match the NRTP grant with contributions from its own resources?**

*IAC staff* will respond to this question for each development and maintenance project.

This question is based on information submitted with the application. No additional information is required.

- a. 20 - 25 percent of project's value will be contributed by the applicant    0 points
- b. 25.1 to 30 percent of project's value will be contributed by the applicant    1 point
- c. 30.1 to 35 percent of project's value will be contributed by the applicant    2 points
- d. 35.1 to 40 percent of project's value will be contributed by the applicant    3 points
- e. 40.1 to 45 percent of project's value will be contributed by the applicant    4 points
- f. Over 45 percent of project's value will be contributed by the applicant    5 points

IAC staff awards a maximum of 5 points; that are multiplied by 2.

## SCORED BY IAC STAFF

### 10) **GMA PREFERENCE. Has the applicant made progress toward meeting the requirements of the Growth Management Act (GMA)?**

RCW 43.17.250 (GMA-preference required.)

State law requires that:

- (1) Whenever a state agency is considering awarding grants to finance public facilities, it shall consider whether the applicant<sup>[6]</sup> has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040 (“state law”).
- (2) When reviewing such requests, the state agency shall accord additional preference to applicants<sup>[6]</sup> that have adopted the comprehensive plan and development regulations. An applicant<sup>[6]</sup> is deemed to have satisfied the requirements for adopting a comprehensive plan and development regulations if it:
  - ▶ Adopts or has adopted within the time periods specified in state law;
  - ▶ Adopts or has adopted by the time it requests a grant or loan; or
  - ▶ Demonstrates substantial progress toward adopting within the time periods specified in state law. An agency that is more than six months out of compliance with the time periods has not demonstrated substantial progress.
- (3) A request from an applicant<sup>[6]</sup> planning under state law shall be accorded no additional preference based on subsection (2) over a request from an applicant<sup>†</sup> not planning under this state law.

This question is pre-scored by IAC staff based on information obtained from the state Department of Community, Trade, and Economic Development, GMA Division. To qualify for the current grant cycle, the GMA comprehensive plan and development regulations must be completed by IAC’s Technical Completion Deadline.

- a. The applicant does *not* meet the requirements of RCW 43.17.250 .....(minus 1 point)
- b. The applicant *meets* the requirements of RCW 43.17.250 .....0 points
- c. The applicant is a nonprofit organization, state or federal agency .....0 points

IAC staff subtracts a maximum of 1 point; there is no multiplier.

Revised 7/23/99

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<sup>[6]</sup> County, city, town, and special district applicants only. This segment of the question does not apply to nonprofit organizations or state and federal agency applicants.

## APPENDIX 1 – COMMON ACRONYMS

The following listing contains common acronyms and abbreviations used in this and other IAC publications.

BFP	Boating Facilities Program; IAC's Motorized Boating Program
CTED	Department of Community, Trade, and Economic Development
E&E	Education and Enforcement; a sub-category of IAC's NOVA Program
FARR	Firearms and Archery Range Recreation Program; an IAC grant program
GMA	Growth Management Act
HCA	Habitat Conservation Account; a sub-category of IAC's WWRP
I-215	Initiative 215; IAC's Motorized Boating Program
IAC	Interagency Committee for Outdoor Recreation
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
LWCF	Land & Water Conservation Fund; an IAC grant program
M&O	Maintenance and Operation; may also refer to a sub-category of IAC's NOVA Program
NHR	Nonhighway Road; a sub-category of IAC's NOVA Program
NOVA	Nonhighway & Off-Road Vehicle Activities Program; an IAC grant program
NRTProgram	National Recreational Trails Program
ORV	Off-Road Vehicles; may also refer to a sub-category of IAC's NOVA program
PRISM	PRoject Information System; IAC's project management data base
RCW	Revised Code of Washington
STAC	State Trails Advisory Committee; an ad hoc group that last met to assist IAC in developing the 1991 <i>State Trails Plan</i>
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
WAC	Washington Administrative Code; rules adopted by state agencies
WWRP	Washington Wildlife & Recreation Program; an IAC grant program

## APPENDIX 2 – PROGRAM AUTHORIZING LEGISLATION

### From the Transportation Equity Act for the 21<sup>st</sup> Century and Related Provisions

(f) **Recreational Trails Program.**--Section 104(h) of such title is amended to read as follows:

“(h) **Recreational Trails Program.**--[[Page 112 STAT. 124]]”

“(1) **Administrative costs.**--Whenever an apportionment is made of the sums authorized to be appropriated to carry out the recreational trails program under section 206, the Secretary shall deduct an amount, not to exceed 1 $\frac{1}{2}$  percent of the sums authorized, to cover the cost to the Secretary for administration of and research and technical assistance under the recreational trails program and for administration of the National Recreational Trails Advisory Committee. The Secretary may enter into contracts with for-profit organizations or contracts, partnerships, or cooperative agreements with other government agencies, institutions of higher learning, or nonprofit organizations to perform these tasks.

“(2) **Apportionment to the states.**--After making the deduction authorized by paragraph (1) of this subsection, the Secretary shall apportion the remainder of the sums authorized to be appropriated for expenditure on the recreational trails program for each fiscal year, among the States in the following manner:

“(A) 50 percent of that amount shall be apportioned equally among eligible States.

“(B) 50 percent of that amount shall be apportioned among eligible States in amounts proportionate to the degree of non-highway recreational fuel use in each of those States during the preceding year.

“(3) **Eligible state defined.**--In this section, the term ‘eligible State’ means a State that meets the requirements of section 206(c).”.

### SEC. 1112. RECREATIONAL TRAILS PROGRAM.

(a) **In General.**--Chapter 2 of title 23, United States Code, is amended by inserting after section 205 the following:

“Sec. 206. **Recreational trails program**

“(a) **Definitions.**--In this section, the following definitions apply:

“(1) *Motorized recreation.*--The term ‘motorized recreation’ means off-road recreation using any motor-powered vehicle, except for a motorized wheelchair. [[Page 112 STAT. 147]]

“(2) *Recreational trail.*--The term ‘recreational trail’ means a thoroughfare or track across land or snow, used for recreational purposes such as--

“(A) pedestrian activities, including wheelchair use;

“(B) skating or skateboarding;

“(C) equestrian activities, including carriage driving;

“(D) nonmotorized snow trail activities, including skiing;

“(E) bicycling or use of other human-powered vehicles;

“(F) aquatic or water activities; and

“(G) motorized vehicular activities, including all-terrain vehicle riding, motorcycling, snowmobiling, use of off-road light trucks, or use of other off-road motorized vehicles.

“(b) **Program.**--In accordance with this section, the Secretary, in consultation with the Secretary of the Interior and the Secretary of Agriculture, shall carry out a program to provide and maintain recreational trails.

“(c) **State Responsibilities.**--To be eligible for apportionments under this section—

“(1) *the Governor of the State shall designate the State agency or agencies that will be responsible for administering apportionments made to the State under this section; and*

“(2) *the State shall* establish a State recreational trail advisory committee that represents both motorized and nonmotorized recreational trail users, which shall meet not less often than once per fiscal year.

“(d) **Use of Apportioned Funds.**--

“(1) *In general.*--Funds apportioned to a State to carry out this section shall be obligated for recreational trails and related projects that--

“(A) have been planned and developed under the laws, policies, and administrative procedures of the State; and

“(B) are identified in, or further a specific goal of, a recreational trail plan, or a statewide comprehensive outdoor recreation plan required by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.), that is in effect.

“(2) *Permissible uses.*--Permissible uses of funds apportioned to a State for a fiscal year to carry out this section include--

“(A) maintenance and restoration of existing recreational trails;

“(B) development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails;

“(C) purchase and lease of recreational trail construction and maintenance equipment;

“(D) construction of new recreational trails, except that, in the case of new recreational trails crossing Federal lands, construction of the trails shall be--

“(i) permissible under other law;

“(ii) necessary and required by a statewide comprehensive outdoor recreation plan that is required by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.) and that is in effect;

“(iii) approved by the administering agency of the State designated under subsection (c)(1); and[[Page 112 STAT. 148]]

“(iv) approved by each Federal agency having jurisdiction over the affected lands under such terms and conditions as the head of the Federal agency determines to be appropriate, except that the approval shall be contingent on compliance by the Federal agency with all applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

“(E) acquisition of easements and fee simple title to property for recreational trails or recreational trail corridors;

“(F) payment of costs to the State incurred in administering the program, but in an amount not to exceed 7 percent of the apportionment made to the State for the fiscal year to carry out this section; and

“(G) operation of educational programs to promote safety and environmental protection as those objectives relate to the use of recreational trails, but in an amount not to exceed 5 percent of the apportionment made to the State for the fiscal year.

“(3) *Use of apportionments.*--

“(A) *In general.*--Except as provided in subparagraphs (B), (C), and (D), of the apportionments made to a State for a fiscal year to carry out this section--

“(i) 40 percent shall be used for recreational trail or related projects that facilitate diverse recreational trail use within a recreational trail corridor, trailside, or trailhead, regardless of whether the project is for diverse motorized use, for diverse nonmotorized use, or to accommodate both motorized and nonmotorized recreational trail use;

“(ii) 30 percent shall be used for uses relating to motorized recreation; and

“(iii) 30 percent shall be used for uses relating to nonmotorized recreation.

“(B) *Small state exclusion.*--Any State with a total land area of less than 3,500,000 acres shall be exempt from the requirements of clauses (ii) and (iii) of subparagraph (A).

“(C) *Waiver authority.*--A State recreational trail advisory committee established under subsection (c)(2) may waive, in whole or in part, the requirements of clauses (ii) and (iii) of subparagraph (A) if the State recreational trail advisory committee determines and notifies the Secretary that the State does not have sufficient projects to meet the requirements of clauses (ii) and (iii) of subparagraph (A).



“(D) State administrative costs.--State administrative costs eligible for funding under paragraph (2)(F) shall be exempt from the requirements of subparagraph (A).

“(4) *Grants.*--

“(A) In general.--A State may use funds apportioned to the State to carry out this section to make grants to[[Page 112 STAT. 149]] private organizations, municipal, county, State, and Federal Government entities, and other government entities as approved by the State after considering guidance from the State recreational trail advisory committee established under subsection (c)(2), for uses consistent with this section.

“(B) Compliance.--A State that makes grants under subparagraph (A) shall establish measures to verify that recipients of the grants comply with the conditions of the program for the use of grant funds.

“(e) **Environmental Benefit or Mitigation.**--To the extent practicable and consistent with the other requirements of this section, a State should give consideration to project proposals that provide for the redesign, reconstruction, nonroutine maintenance, or relocation of recreational trails to benefit the natural environment or to mitigate and minimize the impact to the natural environment.

“(f) **Federal Share.**--

“(1) *In general.*--Subject to the other provisions of this subsection, the Federal share of the cost of a project under this section shall not exceed 80 percent.

“(2) *Federal agency project sponsor.*--Notwithstanding any other provision of law, a Federal agency that sponsors a project under this section may contribute additional Federal funds toward the cost of a project, except that--

“(A) the share attributable to the Secretary of Transportation may not exceed 80 percent of the cost of a project under this section; and

“(B) the share attributable to the Secretary and the Federal agency may not exceed 95 percent of the cost of a project under this section.

“(3) *Use of funds from federal programs to provide non-federal share.*--Notwithstanding any other provision of law, the non-Federal share of the cost of the project may include amounts made available by the Federal Government under any Federal program that are--

“(A) expended in accordance with the requirements of the Federal program relating to activities funded and populations served; and

“(B) expended on a project that is eligible for assistance under this section.

“(4) *Programmatic non-federal share.*--A State may allow adjustments to the non-Federal share of an individual project for a fiscal year under this section if the Federal share of the cost of all projects carried out by the State under the program (excluding projects funded under paragraph (2) or (3)) using funds apportioned to the State for the fiscal year does not exceed 80 percent.

“(5) *State administrative costs.*--The Federal share of the administrative costs of a State under this subsection shall be determined in accordance with section 120(b).

“(g) **Uses Not Permitted.**--A State may not obligate funds apportioned to carry out this section for--

“(1) *condemnation of any kind of interest in property;*

“(2) *construction of any recreational trail on National Forest System land for any motorized use unless--*

“(A) the land has been designated for uses other than wilderness by an approved forest land and resource [[Page 112 STAT. 150]] management plan or has been released to uses other than wilderness by an Act of Congress; and

“(B) the construction is otherwise consistent with the management direction in the approved forest land and resource management plan;

“(3) *construction of any recreational trail on Bureau of Land Management land for any motorized use unless the land--*

“(A) has been designated for uses other than wilderness by an approved Bureau of Land Management resource management plan or has been released to uses other than wilderness by an Act of Congress; and

“(B) the construction is otherwise consistent with the management direction in the approved

management plan; or

*“(4) upgrading, expanding, or otherwise facilitating motorized use or access to recreational trails predominantly used by nonmotorized recreational trail users and on which, as of May 1, 1991, motorized use was prohibited or had not occurred.*

**“(h) Project Administration.--**

*“(1) Credit for donations of funds, materials, services, or new right-of-way.--*

*“(A) In general.--Nothing in this title or other law shall prevent a project sponsor from offering to donate funds, materials, services, or a new right-of-way for the purposes of a project eligible for assistance under this section. Any funds, or the fair market value of any materials, services, or new right-of-way, may be donated by any project sponsor and shall be credited to the non-Federal share in accordance with subsection (f).*

*“(B) Federal project sponsors.--Any funds or the fair market value of any materials or services may be provided by a Federal project sponsor and shall be credited to the Federal agency's share in accordance with subsection (f).*

*“(2) Recreational purpose.--A project funded under this section is intended to enhance recreational opportunity and is not subject to section 138 of this title or section 303 of title 49.*

*“(3) Continuing recreational use.--At the option of each State, funds apportioned to the State to carry out this section may be treated as Land and Water Conservation Fund apportionments for the purposes of section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l- 8(f)(3)).*

*“(4) Cooperation by private persons.--*

*“(A) Written assurances.--As a condition of making available apportionments for work on recreational trails that would affect privately owned land, a State shall obtain written assurances that the owner of the land will cooperate with the State and participate as necessary in the activities to be conducted.*

*“(B) Public access.--Any use of the apportionments to a State to carry out this section on privately owned land must be accompanied by an easement or other legally binding agreement that ensures public access to the recreational trail improvements funded by the apportionments. [[Page 112 STAT. 151]]*

**“(i) Contract Authority.--**Funds authorized to carry out this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1, except that the Federal share of the cost of a project under this section shall be determined in accordance with this section.”.

**(b) Conforming Amendment.--**The analysis for chapter 2 of title 23, United States Code, is amended by striking the item relating to section 206 and inserting the following:

“206. Recreational trails program.”.

(c) Repeal of Obsolete Provision.--Section 1302 of the Intermodal Surface Transportation Efficiency Act of 1991 (16 U.S.C. 1261) is repealed. (d) Termination of Advisory Committee.--Section 1303 of such Act (16 U.S.C. 1262) is amended by adding at the end the following:

“(j) Termination.--The advisory committee established by this section shall terminate on September 30, 2000.”.

(e) <<NOTE: 23 USC 206 note.>> Encouragement of Use of Youth Conservation or Service Corps.--The Secretary shall encourage the States to enter into contracts and cooperative agreements with qualified youth conservation or service corps to perform construction and maintenance of recreational trails under section 206 of title 23, United States Code.

**APPENDIX 3 – PROJECT INVENTORY FORM**

IAC Numb, Percent IAC	Item Name/Description, Inventory Number	Acquisition Date, Total Cost	Location, Condition	Disposal Date, To Whom, Sale Price

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Project Sponsor: \_\_\_\_\_

Date: \_\_\_\_\_

IAC form (revised 3/95)

Use this form *after* IAC awards a grant. See manual 16, page 14 for information on this form.

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